



The Little Traverse Bay Bands of Odawa Indians
In Council Chambers and via ZOOM

Tribal Council Regular Meeting Agenda

MORNING SESSION

August 10, 2023

9:00 a.m. – 1:00 p.m.

All meetings, work sessions and Citizens' meetings are recorded

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

Participation. With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, participants are required to provide their full name and Tribal affiliation at log in for meeting entry. Citizens use name and enrollment number, all others who are required to be in the meeting, use name and title. Without required identification you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be a fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

Public Comment.

Tribal Council will not accept comments nor discuss matters that relate to the following:

1. Personnel matters.
2. Personal information affecting an individual's privacy, including personnel matters. or medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Citizens who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
- 6 Matters that could impair a criminal investigation.

(Source: WOS 2015-014, July 24, 2015, Section VI)

Join Zoom Meeting

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Meeting ID: **868 1524 1342**

Passcode: 402031

One tap mobile

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- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US

- +1 312 626 6799 US (Chicago)
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US

Meeting ID: 868 1524 1342

Passcode: 402031

Find your local number: <https://us02web.zoom.us/j/86815241342>

GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Review Agenda
Motion to adopt the agenda of August 10, 2023 as (presented/amended).
5. Review and Approve Minutes of July 27, 2023.
Motion to approve the minutes of July 27, 2023 as (presented/corrected).
6. Executive Oversight Report
Motion to acknowledge receipt of the verbal Executive Oversight Report as presented by Tribal Chair Regina Gasco-Bentley for August 10, 2023.
7. Legislative Leader Report
Motion to acknowledge receipt of Legislative Leader Emily Proctor's verbal and written report for August 10, 2023.
8. Secretary Report
 - a. Documents Delivered to the Executive on July 28, 2023 and signed by the Executive on August 2, 2023.
 - Tribal Resolution Limited Waiver of Sovereign Immunity of the Little Traverse Bay Bands of Odawa Indians to Enter into a Memorandum of Understanding with the Michigan Department of Health and Human Services for After-Hours Coverage on Trust Lands.
 - Tribal Resolution Supplemental Funding in the amount of \$997,619 for FY 2023 to implement the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.
 - Tribal Resolution Supplemental Funding in the amount of \$1,056,846 for FY 2024 to support

the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.

-Tribal Resolution Budget Modification in the amount of \$30,000 for FY 2023 to support the Little Traverse Bay Bands Elders Department Ramp Program to come from the Capital Expenditures Fund.

-Tribal Resolution Supplemental Funding in the amount of Fifty Thousand Dollars (\$50,000) to meet additional cost of securing a technological upgrade for Tribal Council Chambers to come from the General Fund-Fund Balance.

-Tribal Resolution Supplemental Funding in the amount of \$626,000 to construct an additional apartment building at Mtigwaakiis Housing Development to come from the General Fund-Fund Balance.

b. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto): None

c. Phone Polls passed by Tribal Council: None

Motion to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for August 10, 2023.

9. Treasurer Report

Appropriations and Finance Committee

Last Meeting: July 18, 2023

Motions made at the July 18, 2023 Appropriations and Finance Committee Meeting were presented to Tribal Council at their July 27, 2023 meeting.

Phone Polls passed by Appropriations and Finance Committee: None

Next Meeting: August 15, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Motion to acknowledge receipt of the Appropriations and Finance Committee verbal report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for August 10, 2023.

10. Land and Reservation Committee Report

Last Meeting: August 4, 2023

Motions made at Land and Reservation Committee Meeting:

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to **not** pursue Land Parcel #193 as recommended by the Land and Reservation Committee (LRC).*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to request a Staff Review and Analysis Report for Land Parcel #194 to be completed and submitted to the Committee prior September 1, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Staff Review and Analysis Report for Land Parcel #151 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to approve Confidential Memo # 080423-01 recommend to Tribal Council to pursue Land Parcel #151.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Phase I Assessment Report for Land Parcel #157 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to **not** pursue Land Parcel #157 as recommended by the Land and Reservation Committee (LRC).*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Phase I Assessment Report for Land Parcel #182 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Staff Review and Analysis Report for Land Parcel #187 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Staff Review and Analysis Report for Land Parcel #190 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to **not** pursue Land Parcel #190 as recommended by the Land and Reservation Committee (LRC).*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to acknowledge receipt of the Staff Review and Analysis Report for Land Parcel #191 as presented on August 4, 2023.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to **not** pursue Land Parcel #191 as recommended by the Land and Reservation Committee (LRC).*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to amend the agenda to include the right-of-way access to run fiber optic cable along Lears Rd.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve a right-of-way access to Everstream to run fiber optic cable along Lears Road.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Phone Polls passed by Land and Reservation Committee: None

Next Meeting: September 1, 2023 at 9:00 a.m. in Council Chambers and via Zoom

_____ **a.m./p.m. Motion** to enter into Closed Session for Confidential Business-Land
(standard motion)

_____ **a.m./p.m. Motion** to return to Open Session.

Motion to... (dependent on closed session)

Motion to acknowledge receipt of the Land and Reservation Committee verbal and written report as provided on the agenda by Councilor Aaron Otto, Committee Chairperson for August 10, 2023.

11. Tribal Council Member Reports:

- a. Councilor Fred Kiogima
- b. Councilor Tamara Munson
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor James Pontiac
- g. Legislative Leader Emily Proctor
- h. Secretary Marcella Reyes
- i. Treasurer Leroy Shomin

Motion to acknowledge receipt of ...(verbal/written) report for August 10, 2023.

12. Office of Finance and Revenue - Senior Financial Analyst

- a. Office Update
- b. Corporate Charters and/or Board Updates:
 - Gaming Authority
 - Odawa Economic Affairs Holding Corporation
 - Odawa Economic Development Management, Inc. – **4:30 p.m.** Odawa Economic Development Management, Inc. Closed Session for Confidential Business.
 - Tribal Burial Board, Inc.
 - Ziibimijwang, Inc.

Motion to acknowledge receipt of Sr Financial Analyst Rachel Cope’s verbal and written report for August 10, 2023.

13. Tribal Historic Preservation Officer

Motion to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik’s verbal and written report for August 10, 2023.

14. Legislative Services Attorney

Motion to acknowledge receipt of Legislative Services Attorney Zach Welcker’s verbal and written report for August 10, 2023.

15. General Counsel

- a. Verbal Report
- b. Closed Session for land and confidential business/legal matters.

_____ **a.m./p.m. Motion** to enter into Closed Session for land and confidential business/legal matters.

_____ **a.m./p.m. Motion** to return to Open Session.

Motion to acknowledge receipt of General Counsel Jim Bransky’s verbal report for August 10, 2023.

Motion to... (dependent on closed session)

16. Legislative Office Director

Motion to acknowledge receipt of Legislative Office Director Michele Portman-LaCount’s verbal and written report for August 10, 2023.

17. Motions

- a. **Motion** to approve Confidential Memo # 080423-01 to pursue Land Parcel #151.
- b. **Motion** to **not** pursue Land Parcel #157 as recommended by the Land and Reservation Committee (LRC).

- c. **Motion** to **not** pursue Land Parcel #190 as recommended by the Land and Reservation Committee (LRC).
- d. **Motion** to **not** pursue Land Parcel #191 as recommended by the Land and Reservation Committee (LRC).
- e. **Motion** to **not** pursue Land Parcel #193 as recommended by the Land and Reservation Committee (LRC).
- f. **Motion** approve a right-of-way access to Everstream to run fiber optic cable along Lears Road.
- g. **Motion** to post to the web for comment the draft Tribal Notary Public Statute as sponsored by...
- h. **Motion** to post to the web for comment the draft Jurisdiction Adjustment Statute as sponsored by...
- i. **Motion** to post to the web for comment the draft Financial Disclosures of Tribal Officials Statute as sponsored by...
- j. **Motion** to post to the web for comment the draft Elders Commission Statute as sponsored by...
- k. **Motion** to post to the web for comment the draft Probate Code Statute as sponsored by...
- l. **Motion** to post to the web for comment the draft Probate Code for Small Estates Statute as sponsored by...
- m. **Motion** to post to the web for comment the draft Marriage Statute as sponsored by...
- n. **Motion** to post to the web for comment the draft Dissolution of Marriage Statute as sponsored by...

18. Roll Call Votes

- a. **Motion** to pass Waganakising Odawak Statute Special Jurisdiction over Domestic Violence and Related Crimes.
- b. **Motion** to adopt Tribal Resolution Revoking the Delegation of Authority to the Chippewa Ottawa Resource Authority to Register Fishing Vessels, Snowmobiles, and Vehicles Used for the Exercise of Treaty Fishing.

19. Other Items of Business:

- a.

20. Adjournment

_____ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting:
Thursday, August 10, 2023 at 1:30 p.m. in Council Chambers and via Zoom